

§ 148.112 Evidence of purchase.

A sales slip, invoice, or other evidence of purchase, shall be presented with the declaration for all unaccompanied articles.

[T.D. 78-394, 43 FR 49790, Oct. 25, 1978]

§ 148.113 Declaration, entry, and collection of duty.

(a) *Declaration and entry for unaccompanied articles*—(1) *Declaration*. A baggage declaration covering articles for which a claim of free entry, in whole or in part, is made under the \$1,200 exemption provided by subheading 9804.00.70, Harmonized Tariff Schedule of the United States (HTSUS) (19 U.S.C. 1202), or a baggage or crewmembers declaration covering articles for which the flat rate of duty provision of subheading 9816.00.40, HTSUS appears to be applicable, shall be accompanied by a Declaration of Unaccompanied Articles, Customs Form 255. Customs Form 255 shall be prepared in triplicate by the vendor or declarant for each shipment of declared articles not accompanying the person. A shipment consists of one or more packages or containers sent as a unit.

(2) *Verification*. The Customs officer shall verify the information from the declaration, sales slip, invoice, or other evidence of purchase furnished by the person. The completed Customs Form 255 shall be validated by the Customs officer and two copies given to the person.

(b) *Collection of duty*. Duties shall be collected before release of the articles, after their arrival in the United States, as provided in § 145.12 or § 148.115.

[T.D. 78-394, 43 FR 49790, Oct. 25, 1978, as amended by T.D. 86-118, 51 FR 22516, June 20, 1986; T.D. 89-1, 53 FR 51267, Dec. 21, 1988; T.D. 93-66, 58 FR 44131, Aug. 19, 1993; T.D. 97-75, 62 FR 46443, Sept. 3, 1997]

§ 148.114 Shipment of unaccompanied articles.

One copy of the validated Customs Form 255 shall be returned to the vendor. The vendor shall place the form in an envelope, affix it to the outside of the shipment, and clearly mark the outside of the shipment "Unaccompanied Tourist Shipment."

[T.D. 78-394, 43 FR 49790, Oct. 25, 1978]

§ 148.115 Release of shipment.

(a) *Release after examination*. Unaccompanied tourist shipments:

(1) To which the personal exemption provided in subheading 9804.00.70, Harmonized Tariff Schedule of the United States (HTSUS) (19 U.S.C. 1202), is applicable, or

(2) For which entry is made under the flat rate of duty provisions of subheading 9816.00.40, HTSUS, or under those provisions in conjunction with the regular rate of duty provision of another subheading of the tariff schedule, shall be released if:

(i) The shipment is properly marked and accompanied by a validated copy of Customs Form 255,

(ii) The examining Customs officer is satisfied that the contents of the shipment are as stated on the Customs Form 255 and, if applicable, that they are properly classified,

(iii) The declared value conforms to the fair retail value in the country of acquisition, and

(iv) In respect to shipments for which entry is made under subheading 9816.00.40, HTSUS, any duties found to be due are paid.

(b) *Removal of Customs Form 255*. The copy of Customs Form 255 attached to the shipment shall be removed by the Customs officer and retained for Customs purposes.

(c) *Missing Customs Form 255*. If a validated copy of Customs Form 255 does not accompany the shipment, entry shall be made under the provisions of part 141 or 145 of this chapter.

(d) *Restricted or prohibited shipments*. No shipment containing prohibited or restricted merchandise for which exemption is claimed under subheading 9804.00.70, HTSUS, or for which entry is claimed under subheading 9816.00.40, HTSUS, shall be released except upon compliance with the provisions of part 12 and §§ 145.51 through 145.59 of this chapter, and other applicable laws and regulations.

(e) *Verification of claim*. The port director may withhold release of any shipment for which exemption is claimed under subheading 9804.00.70, HTSUS, or for which entry is claimed under subheading 9816.00.40, HTSUS, to verify the validity of the claim. If he is

§ 148.116

unable to verify the claim, the merchandise shall be released under the provisions of part 141 or 145 of this chapter.

[T.D. 78-394, 43 FR 49790, Oct. 25, 1978; 43 FR 55758, Nov. 29, 1978, as amended by T.D. 89-1, 53 FR 51267, Dec. 21, 1988; T.D. 93-66, 58 FR 44131, Aug. 19, 1993]

§ 148.116 Claim for refund.

Any person who has filed a declaration of unaccompanied articles under §§ 148.112 and 148.113 and who is dissatisfied with the amount of duty assessed on the articles upon their arrival in the United States may file a claim for administrative review under subpart C, part 145, of this chapter if the articles arrived by mail, or under parts 173 and 174 if the articles arrived other than by mail. Any supporting documents, including a copy of Customs Form 255, should be submitted with the claim.

[T.D. 78-394, 43 FR 49790, Oct. 25, 1978; 43 FR 55758, Nov. 29, 1978]

PART 151—EXAMINATION, SAMPLING, AND TESTING OF MERCHANDISE

Sec.

151.0 Scope.

Subpart A—General

- 151.1 Merchandise to be examined.
- 151.2 Quantities to be examined.
- 151.3 Disclosure of examination packages.
- 151.4 Time of examination.
- 151.5 Conditions for examination prior to entry.
- 151.6 Place of examination.
- 151.7 Examination elsewhere than at place of arrival or public stores.
- 151.8 Examination after assembly.
- 151.9 Immediate transportation entry delivered outside port limits.
- 151.10 Sampling.
- 151.11 Request for samples or additional examination packages after release of merchandise.
- 151.12 Accreditation of commercial laboratories.
- 151.13 Approval of commercial gaugers.
- 151.14 Use of commercial laboratory tests in liquidation.
- 151.15 Movement of merchandise to a centralized examination station.
- 151.16 Detention of merchandise.

19 CFR Ch. I (4-1-03 Edition)

Subpart B—Sugars, Sirups, and Molasses

- 151.21 Definitions.
- 151.22 Estimated duties on raw sugar.
- 151.23 Allowance for moisture in raw sugar.
- 151.24 Unlading facilities for bulk sugar.
- 151.25 Mixing classes of sugar.
- 151.26 Molasses in tank cars.
- 151.27 Weighing and sampling done at time of unlading.
- 151.28 Gauging of sirup or molasses discharged into storage tanks.
- 151.29 Expense of unlading and handling.
- 151.30 Sugar closets.
- 151.31 [Reserved]

Subpart C—Petroleum and Petroleum Products

- 151.41 Information on entry summary.
- 151.42 Controls on unlading and gauging.
- 151.43 [Reserved]
- 151.44 Storage tanks.
- 151.45 Storage tanks bonded as warehouses.
- 151.46 Allowance for detectable moisture and impurities.
- 151.47 Optional entry of net quantity of petroleum or petroleum products.

Subpart D—Metal-Bearing Ores and Other Metal-Bearing Materials

- 151.51 Sampling requirements.
- 151.52 Sampling procedures.
- 151.53 Sample lockers.
- 151.54 Testing by Customs laboratory.
- 151.55 Deductions for loss during processing.

Subpart E—Wool and Hair

- 151.61 Definitions.
- 151.62 Information on invoices.
- 151.63 Information on entry summary.
- 151.64 Extra copy of entry summary.
- 151.65 Duties.
- 151.66 Duty on samples.
- 151.67 Sampling by importer.
- 151.68 Merchandise to be sampled and tested by Customs.
- 151.69 Transfer or exportation of part of sampling unit.
- 151.70 Method of sampling by Customs.
- 151.71 Laboratory testing for clean yield.
- 151.73 Importer's request for commercial laboratory test.
- 151.74 Retest at port director's request.
- 151.75 Final determination of clean yield.
- 151.76 Grading of wool.

Subpart F—Cotton

- 151.81 Definition of staple length.
- 151.82 Information on invoices.
- 151.83 Method of sampling.
- 151.84 Determination of staple length.
- 151.85 Importer's request for redetermination.